

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-198-E - ORDER NO. 2009-555
AUGUST 12, 2009

IN RE: Palmetto Electric Cooperative, Inc.,)	ORDER APPOINTING
)	SUBSTITUTE HEARING
Complainant/Petitioner,)	OFFICER
)	
v.)	
)	
South Carolina Electric & Gas Company,)	
)	
Defendant/Respondent.)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Commission’s Motion to appoint Joseph M. Melchers, Esquire, in substitution of Charles L. A. Terreni,¹ to serve as a hearing officer in the present docket regarding the complaint of Palmetto Electric Cooperative, Inc. filed against South Carolina Electric & Gas Company. This appointment is in order that the hearing officer may dispose of procedural and evidentiary matters pursuant to S.C. Code Ann. Section 58-3-40 (Supp. 2008).

Section 58-3-40(C)(1) states that upon the request of any party or any commissioner, the commission may employ a hearing officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings. Under (C)(2), the hearing officer has full authority, subject to being overruled by the Commission, to rule on questions concerning the conduct of the case

¹ Charles L. A. Terreni was previously appointed as Hearing Officer in Docket No. 2009-198-E. *See* Order No. 2009-493, issued July 17, 2009.

and other matters. Under (C)(3), the officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience.

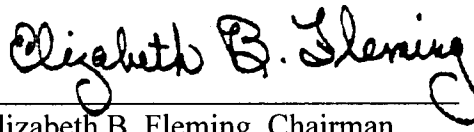
We find that Joseph M. Melchers, Esquire, Chief Counsel, meets these qualifications, and we therefore grant the Motion appointing him as hearing officer in this case. As hearing officer in this proceeding, we direct Mr. Melchers to rule on appropriate matters in the case and dispose of procedural and evidentiary matters for this proceeding.

IT IS THEREFORE ORDERED THAT:

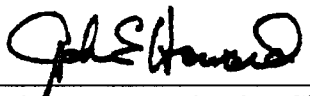
1. Joseph M. Melchers, Esquire, is hereby appointed as hearing officer, in substitution of Charles L. A. Terreni, in Docket No. 2009-198-E regarding the complaint of Palmetto Electric Cooperative, Inc. against South Carolina Electric & Gas Company for disposition of procedural and evidentiary matters for this proceeding.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)